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Notice of Allowability	Application No.	Applicant(s)	
	10/644,679	INCH, GORDON R.	
	Examiner	Art Unit	
	Dmitry Suhol	3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's amendment filed 12/14/2005.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

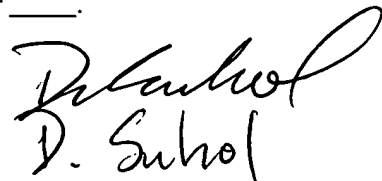
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>013106</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |


D. Suhol

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with D. Walker on January 25th, 2006.

The application has been amended as follows:

Claim 1, line 9, after "...wherein the punch insert is..." insert - - coupled to an adaptor via a resilient member to allow said punch insert to be - -.

Claim 2, line 1, delete "...further comprising an adaptor that..." and insert - - wherein said adaptor - -.

Claim 4, line 2, after "...series of resilient members" insert - - , including said resilient member, - -.

Claim 8, line 5, after "...a retainer ring..." delete "that is axial" and insert - - coupled to a resilient member, said retainer ring being axially - -.

Claim 8, line 7, after "...disengaged position said..." delete "retainer ring radially floats" and insert - - resilient member allows said retainer ring to radially float - -.

Claim 11, line 2, after "...of resilient members" insert - - , including said resilient member, - -.

Claim 16, lines 9 and 10, after "...said complex geometry" delete ", said retainer ring being" and insert - - ; a resilient member coupled to said retainer ring, said resilient member allowing said retainer ring to be - -.

Claim 18, line 2, after "...of resilient members" insert - - , including said resilient member, - -.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The specific limitations of (with respect to claim 1) "...a punch insert that is slidably disposed in said retainer ring and movable along a second axis, wherein the punch insert is coupled to an adaptor via a resilient member to allow said punch insert to be movable relative to the die insert to a position where the second axis is offset from the first axis and another position where the second axis is aligned with the first axis...", (with reference to claim 8) "...a retainer ring coupled to a resilient member, said retainer ring being axially movable relative to said die insert along an axis of said die insert between an engaged position and a disengaged position, wherein in said disengaged position said resilient member allows said retainer ring to radially float relative to said axis of said die insert and in said engaged position said retainer ring is aligned with said axis and engages said die insert..." and (with respect to claim 16) "...a resilient member coupled to said retainer ring, said resilient member allowing said retainer ring to be movable relative to said die insert along said axis as well as in a direction substantially perpendicular to said axis..." are not anticipated or made obvious over the prior art of record in the

examiners opinion. For example, Gomi '347 discloses a die and multi-pass forging machine which teaches a die insert (members 114 and 117), a retainer ring (members 148, 149 and 150), a punch insert (153), resilient members (shown as springs 158), a multi-pass forging machine (figure 14) comprising a first pass die (X101) and a finish pass die (figure 22). However, Gomi's resilient members do not allow for radial movement of the punch or retainer ring as claimed, not is there any motivation or suggestion to modify the reference to allow for such movement with the claimed structure. Williams '550 discloses a die which teaches radial movement of a die (20) and ring (30) due to oversized holes (31) in order to compensate for any misalignment and restoration of the, however, unlike the limitations of claim 1, punch (72) is not disclosed as being disposed in a retainer ring with the claimed limitations and even if one was to read die (20) onto the punch as claimed, the structural features of "...slidably disposed...and movable along a second axis...offset from the first axis and another position where the second axis is aligned with the first axis..." would not be anticipated or made obvious over the prior art of record. In other words there would be no motivation to modify the reference to incorporate such structural features since such a modification would not yield any improvement. Regarding claim 8, the claim requires that floatation of the retainer ring is allowed by the functionality of the resilient member when the ring and die insert are in a disengaged position, however Williams '550 device teaches that movement/floatation of the ring member (30) only occurs in an engaged position to allow for compensation of misalignment between the ring (30), die (20) and punch (72) and that the resilient member (58) works to restore ring (30) and die (20) into

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an aligned position is a disengaged state, therefore the limitations of claim 8 are not anticipated or made obvious. Regarding claim 16, the same reasoning as applied for claim 1 above holds true and in addition Williams does not incorporate features such as a first pass die and finish pass die.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Suhol whose telephone number is 571-272-4430. The examiner can normally be reached on Mon - Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Dmitry Suhol
Examiner
Art Unit 3725

ds

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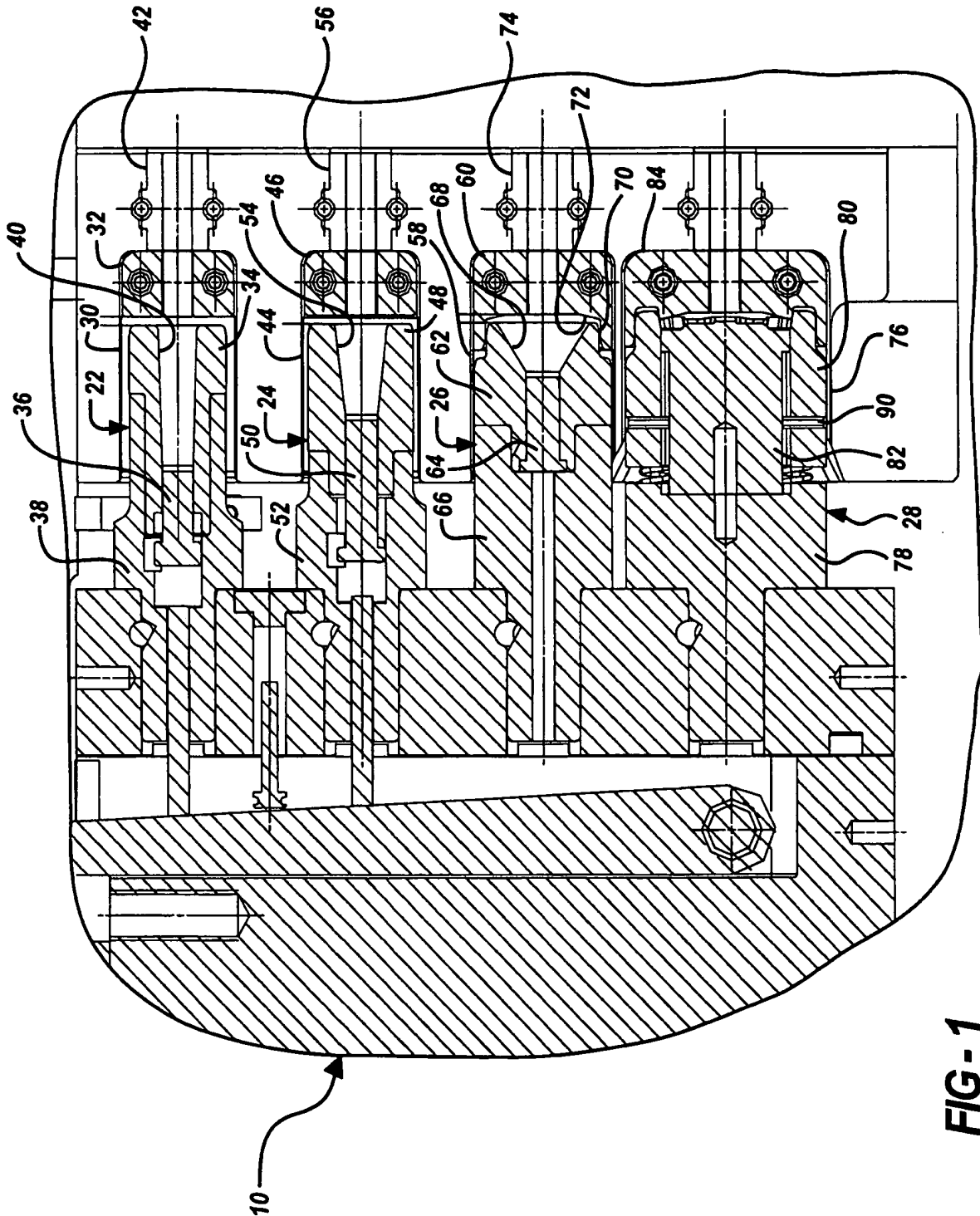


FIG-1

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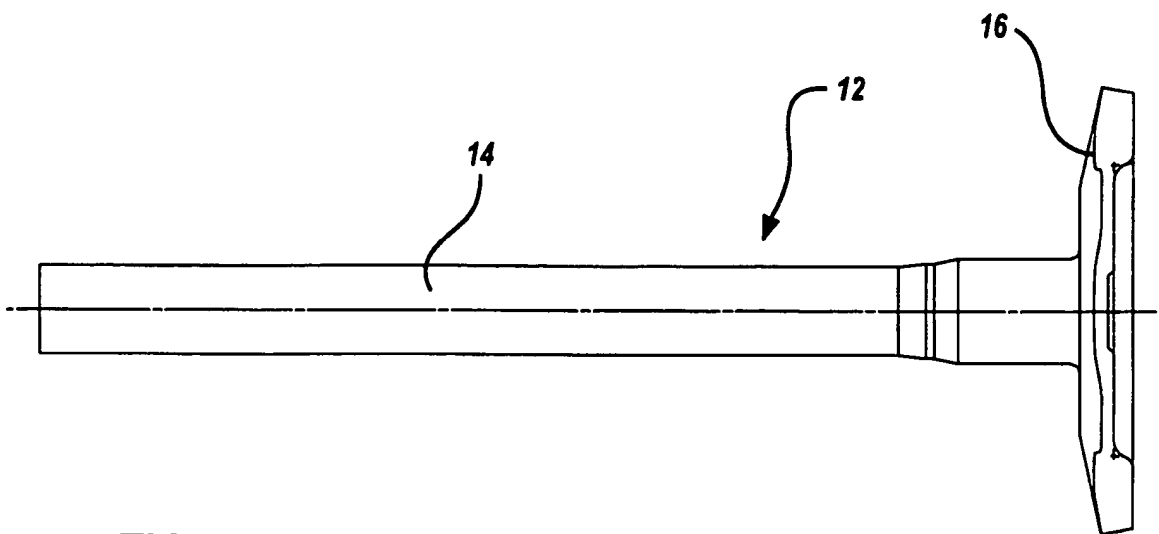


FIG - 2A

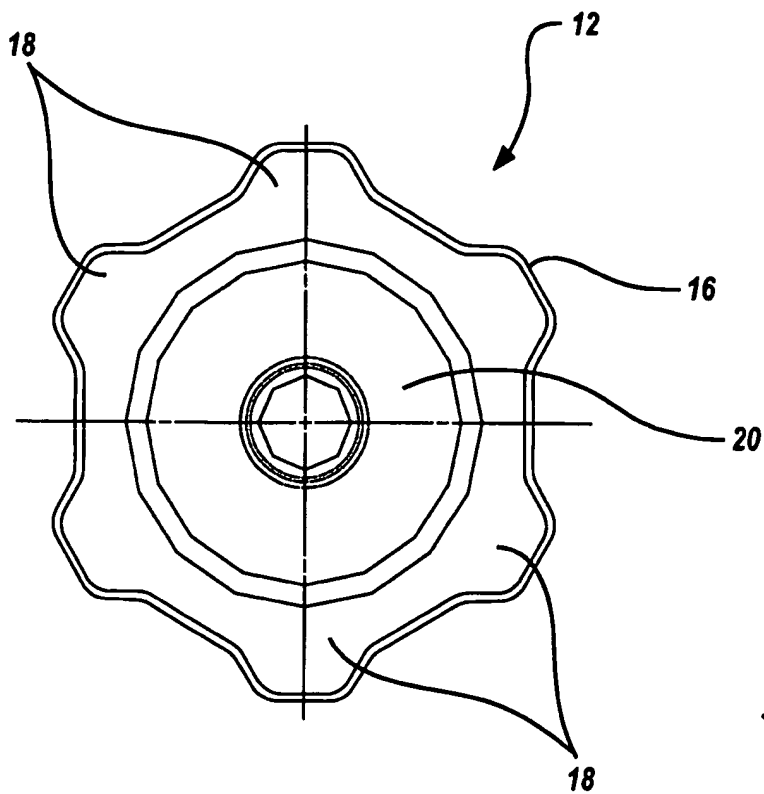
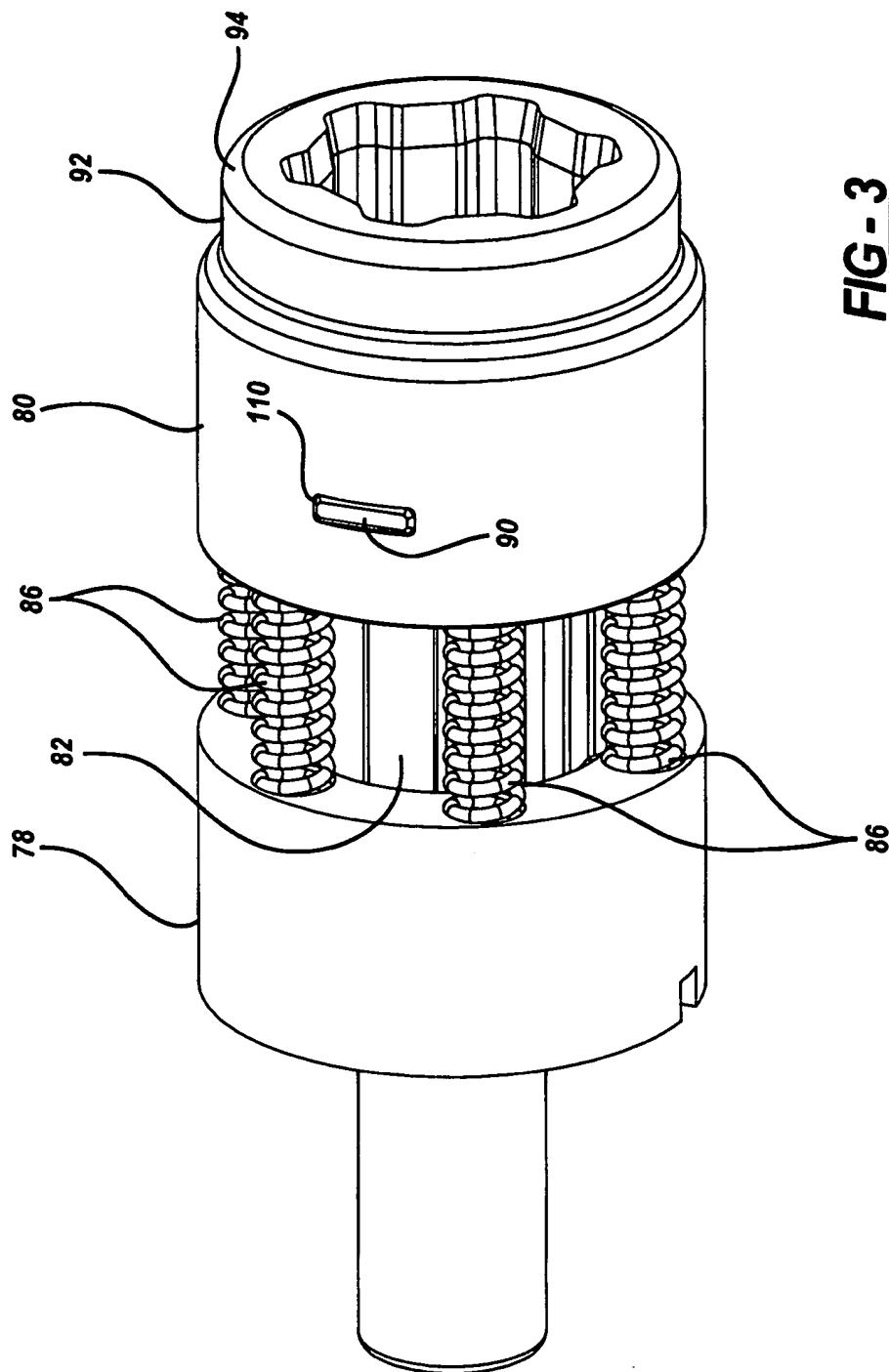


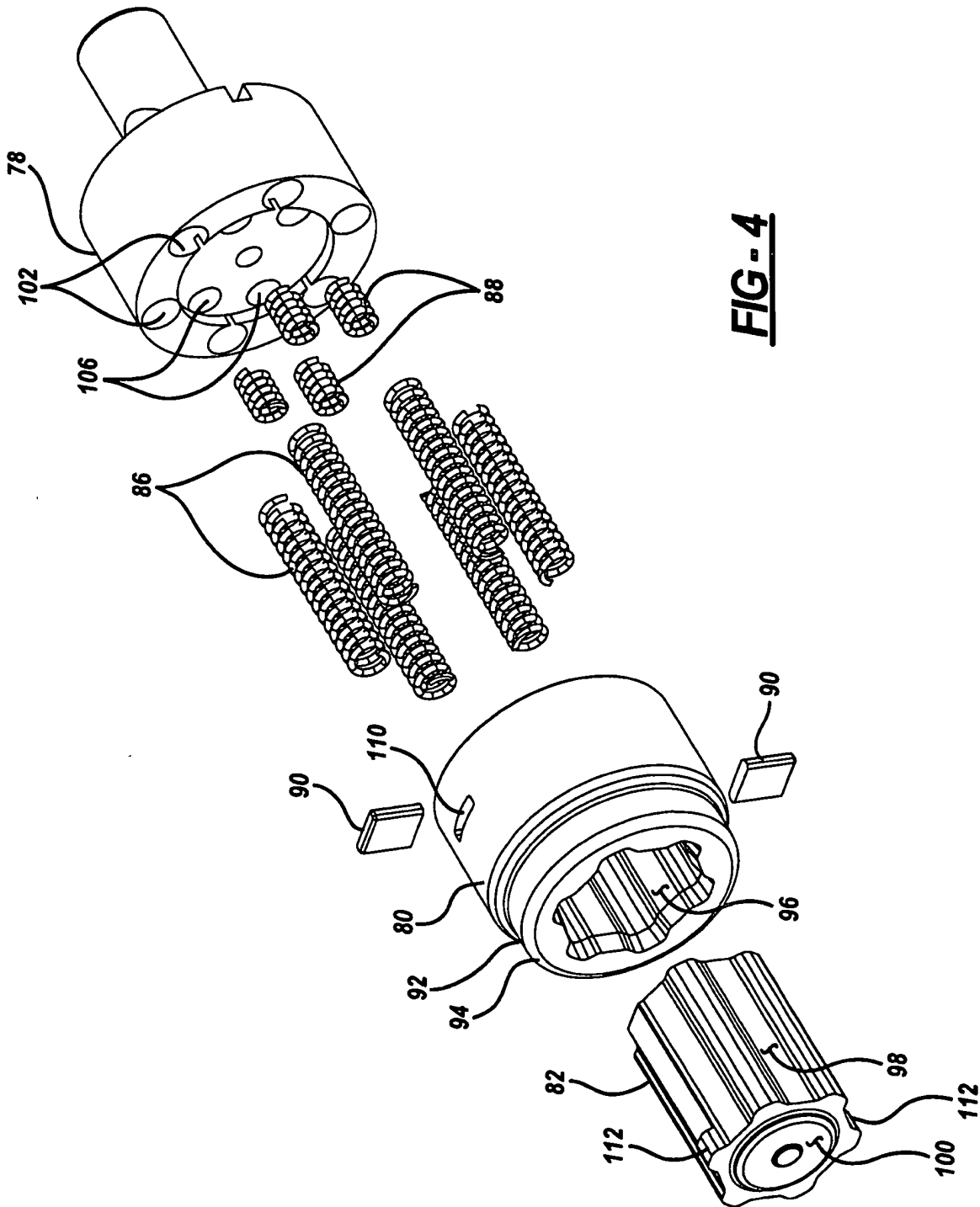
FIG - 2B

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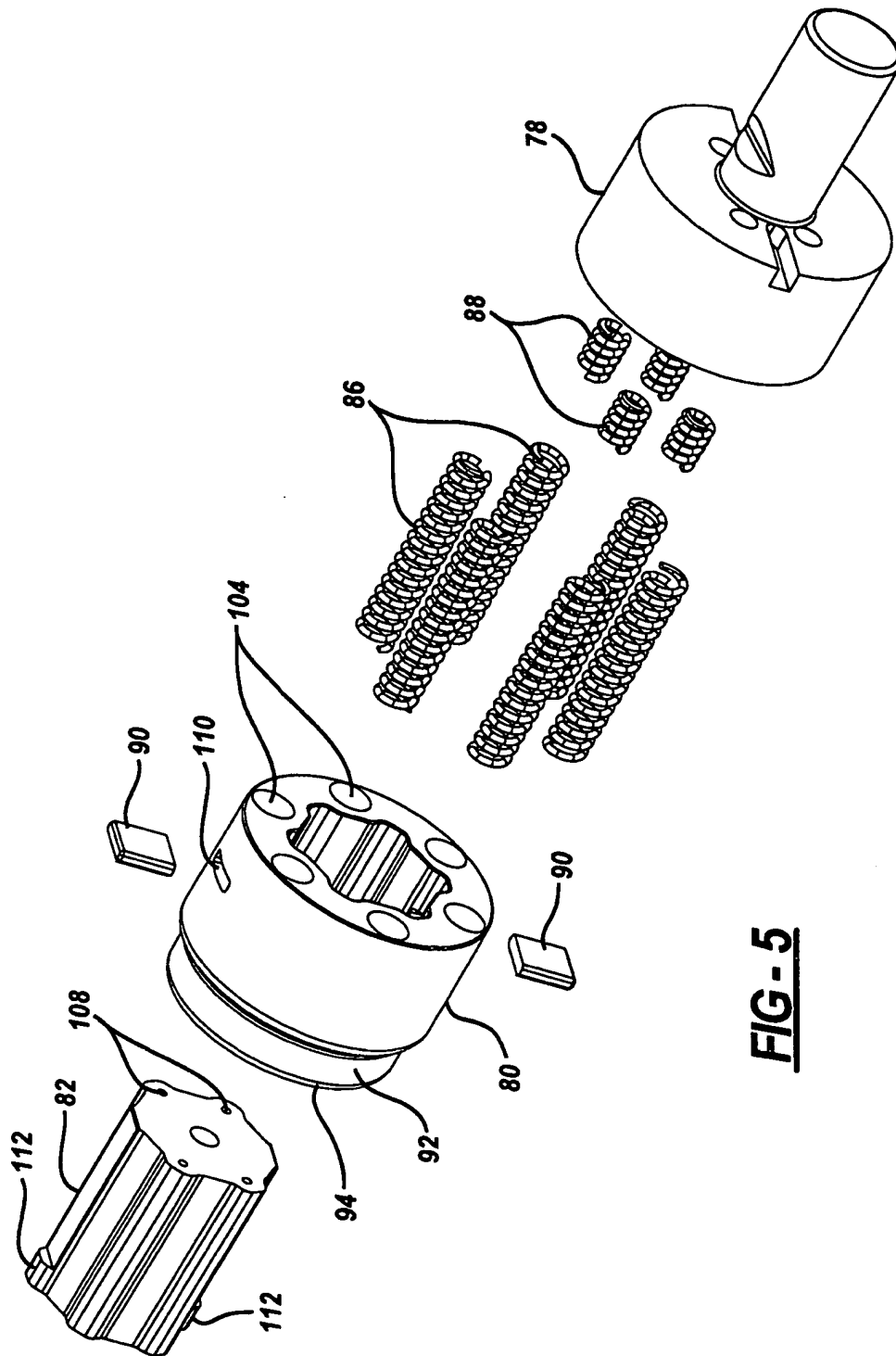
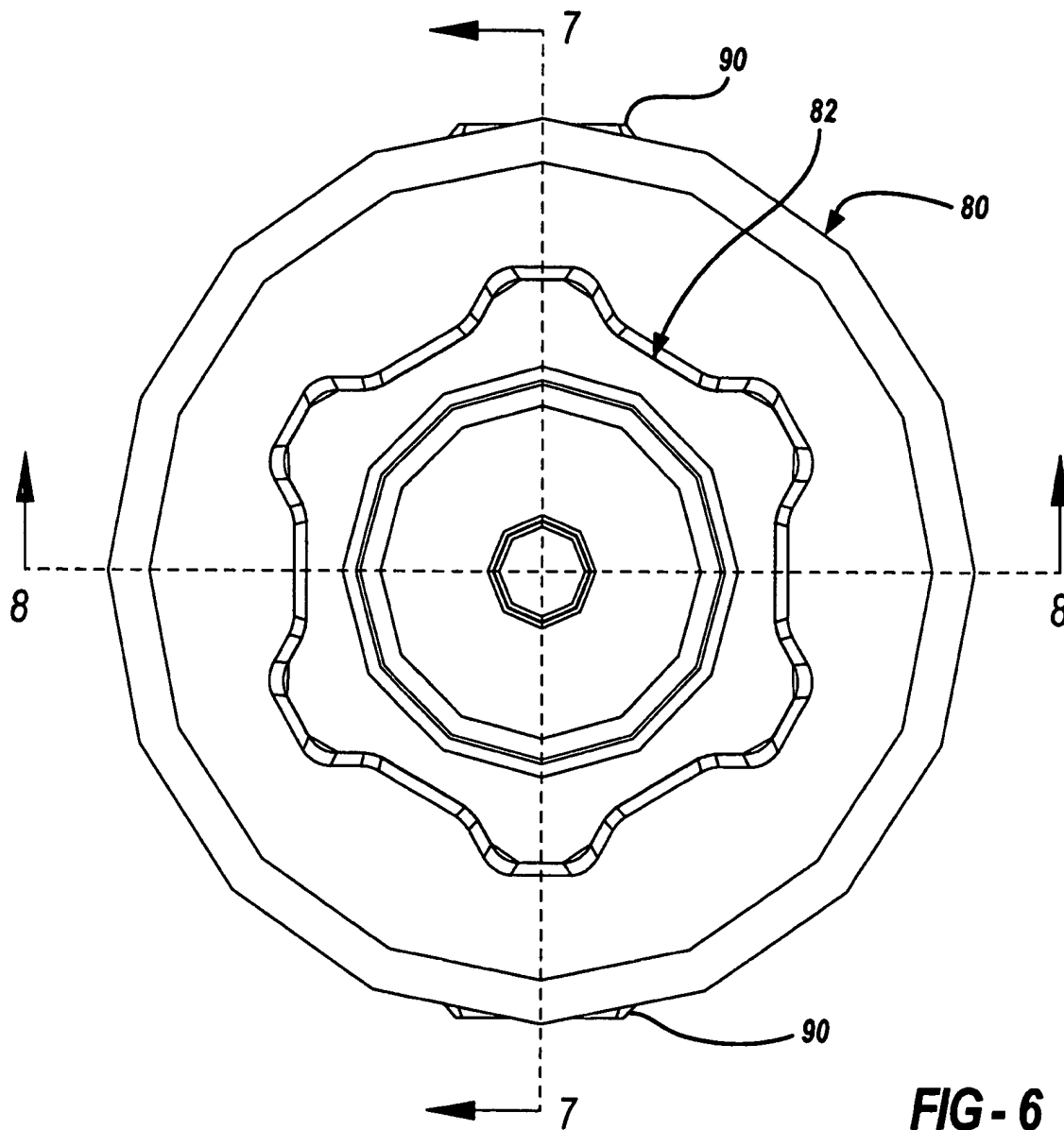


FIG- 5

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Attorney: Phillip E. Rettig, Esq., Harness, Dickey & Pierce, P.L.C.
Attorney Docket No. 9539-000099

FIG. 7

FIG - 7

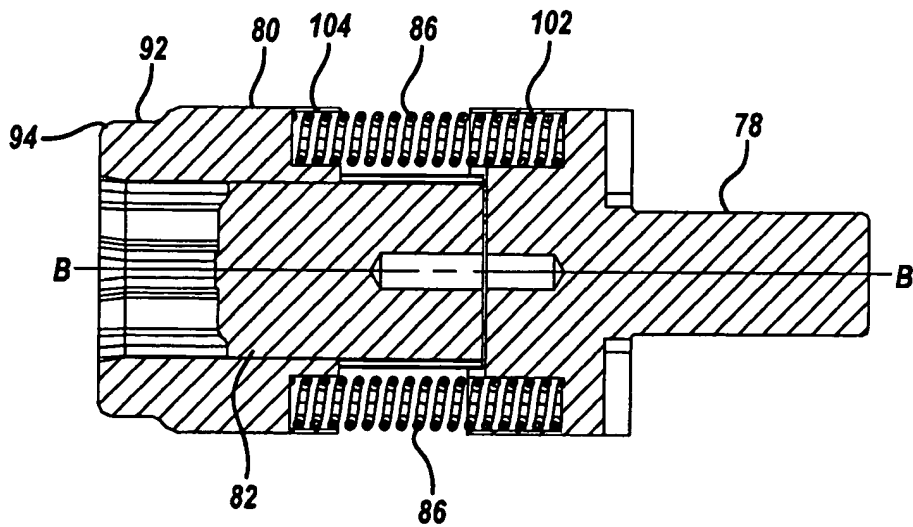


FIG - 8

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